

two dozen gun makers. In October, an Ohio judge threw out a similar lawsuit filed by the city of Cincinnati.

In one setback for the firearms industry, a state court judge in Georgia earlier had ruled that Atlanta could pursue its negligence claims against gun makers.

Last week, President Clinton said his administration is thinking about filing a federal lawsuit on behalf of the 3 million people living in public housing. Clinton's move was an attempt to force the industry into negotiations to settle the municipalities' lawsuits.

Anne Kimball, a Chicago lawyer representing Smith & Wesson Corp. and other gun makers, said the judges saw that the actions of criminals cannot be controlled by the firearms industry. "There is no quarrel that everyone is concerned about violence . . . The question is what to do about it. But these lawsuits are wrong," she said.

Mr. SMITH of New Hampshire. They are basically saying they are going to throw these suits out. That is the gist of it. They are not constitutional. The courts recognize that. The judges said they were completely lacking any legal basis.

Now the President wants to license and register all guns, like automobiles, as my colleague from Idaho referred to. The last time I checked, there wasn't a constitutional right to drive. Does anybody know about that? I don't think they knew what a car was when the Constitution was written. There is no comparison between the two issues. I never heard anything from the Founding Fathers about the right to wagons or horses during that time. I never heard Patrick Henry say: Give me mobility or give me death. He said: Give me liberty or give me death. That is because driving a car is a privilege, not a right. It is a privilege. Gun owners would love to have guns treated as cars, with no background checks, no waiting periods, no age limit; it might be a good thing.

Tyranny isn't always obvious. It isn't always about killing and communism and all that. Tyranny can be much more subtle, piecemeal, gradual—like violating our oath of office and voting against our constitutional rights. It happens all the time in this place. History will judge us for it; it will judge us on the basis of how many times we stood here after having taken the oath of office and then having ignored that oath.

The second amendment guarantees that the right to keep and bear arms shall not be infringed. If you are for gun control—and you have a right to be—then you are against the Constitution of the United States. Change the amendment if you think you can do it. But don't keep passing gun control legislation time after time after time. That is what we are doing in these proposals and laws. We are doing it quietly, without violence, and with an air of respectability, which is what troubles me—as if it is right to do it here because it is on the floor of the Senate.

We are violating the constitutional rights of millions of law-abiding American citizens across the country, and any way you slice it that is still tyranny. That is why I am proud to stand here, as I have done many times—and I will do it every day, if I have to, until the last day I am in the Senate—in defense of the second amendment. I am pleased and proud to support the second amendment.

At this point, I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

Mr. THOMAS. Mr. President, the other Senator from New Hampshire will be here shortly. I thank my friends for talking about the issue. I think it is one that is clearly important to many of us. It is constitutional. It is right. It is something we all support. It is something, however, we don't want to constantly have before us as each new issue comes up. This can be brought up as an amendment or as a way of stalling going on to other things. I appreciate very much the opportunity to do this.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HAGEL). Without objection, it is so ordered.

## CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

## NORTHERN MARIANA ISLANDS COVENANT IMPLEMENTATION ACT

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to the consideration of S. 1052, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1052) to implement further the Act (Public Law 94-241) approving the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America, and for other purposes.

The Senate proceeded to consider the bill, which had been reported from the Committee on Energy and Natural Resources, with an amendment to strike all after the enacting clause and inserting in lieu thereof the following:

### SECTION 1. SHORT TITLE AND PURPOSE.

(a) This Act may be cited as the "Northern Mariana Islands Covenant Implementation Act".

(b) STATEMENT OF PURPOSE.—In recognition of the need to ensure uniform adherence to long-standing fundamental immigration policies of the United States, it is the intention of Congress in enacting this legislation—

(1) to ensure effective immigration control by extending the Immigration and Nationality Act, as amended (8 U.S.C. 1101 et seq.), in full to the Commonwealth of the Northern Mariana Islands, with special provisions to allow for the orderly phasing-out of the nonresident contract worker program of the Commonwealth of the Northern Mariana Islands, and the orderly phasing-in of Federal responsibilities over immigration in the Commonwealth of the Northern Mariana Islands;

(2) to minimize, to the greatest extent possible, potential adverse effects this orderly phase-out might have on the economy of the Commonwealth of the Northern Mariana Islands by:

(A) encouraging diversification and growth of the economy of the Commonwealth of the Northern Mariana Islands consistent with fundamental values underlying Federal immigration policy;

(B) recognizing local self-government, as provided for in the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America through consultation with the Governor and other elected officials of the Government of the Commonwealth of the Northern Mariana Islands by Federal agencies and by considering the views and recommendations of such officials in the implementation and enforcement of Federal law by Federal agencies;

(C) assisting the Commonwealth of the Northern Mariana Islands to achieve a progressively higher standard of living for its citizens through the provision of technical and other assistance;

(D) providing opportunities for persons authorized to work in the United States, including lawfully admissible freely associated state citizen labor; and

(E) ensuring the ability of the locally elected officials by the Commonwealth of the Northern Mariana Islands to make fundamental policy decisions regarding the direction and pace of the economic development and growth of the Commonwealth of the Northern Mariana Islands, consistent with the fundamental national values underlying Federal immigration policy.

### SEC. 2. IMMIGRATION REFORM FOR THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS.

(a) AMENDMENTS TO ACT APPROVING THE COVENANT TO ESTABLISH A COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS IN POLITICAL UNION WITH THE UNITED STATES OF AMERICA.—Public Law 94-241 (90 Stat. 263), as amended, is further amended by adding at the end thereof the following:

#### "SEC. 6. IMMIGRATION AND TRANSITION.

"(a) APPLICATION OF THE IMMIGRATION AND NATIONALITY ACT AND ESTABLISHMENT OF A TRANSITION PROGRAM.—Effective on the first day of the first full month commencing one year after the date of enactment of the Northern Mariana Islands Covenant Implementation Act (hereafter the "transition program effective date"), the provisions of the Immigration and Nationality Act, as amended (8 U.S.C. 1101 et seq.) shall apply to the Commonwealth of the Northern Mariana Islands: Provided, That there shall be a transition period ending December 31, 2009 (except for subsection (d)(2)(I)), following the transition program effective date, during which the Attorney General of the United States (hereafter "Attorney General"), in consultation with the United States Secretaries of State, Labor, and the Interior, shall establish, administer, and enforce a transition program for immigration to the Commonwealth of the Northern Mariana Islands provided in subsections (b), (c), (d), (e), (f), (g), and (j) of this section (hereafter the "transition program"). The transition program shall be implemented pursuant to regulations to be promulgated as appropriate by each agency having responsibilities under the transition program.